



U.S. Department
of Transportation
**Urban Mass
Transportation
Administration**

REGION X
Alaska, Idaho, Oregon,
Washington

915 Second Avenue
Federal Building
Suite 3142
Seattle, Washington 98174

March 1, 1985

Dear Grantee:

This is to advise you of a new system being established by Region 10 to keep you informed of changes in UMTA regulations, policy or operating procedures.

Periodically we intend to send you Bulletins on any changes or new developments that affect UMTA administration of the transit program in Region 10. These Bulletins will be numbered consecutively, so that you can easily see if you have received all of them, and will indicate in the Subject line the general content of the Bulletin and the major program area(s) to which it applies, i.e. Civil Rights, Legal, Planning, Program Management, Grants Assistance or Financial Management. If a subject area crosses all areas, or if it does not readily fit into any one area we will list the program area as General. This should make it easier for you to distribute copies, as appropriate, within your staffs.

Enclosed are the following first Bulletins, most of which have been transmitted to you in the form of "Dear Grantee" letters in the past few months. We have made minor modifications to several of these letters, and we believe it is useful to repeat the information.

1. Half-Fare Requirement
2. Certification of Use of Project Property
3. Leasing of ADP Equipment
4. Private Enterprise Participation
5. Triennial Reviews

I hope you will find this new system to be helpful in keeping you apprised of current UMTA practices and for setting up your own internal system of staying abreast of changing UMTA requirements. If you have any questions on this system, please feel free to contact your Transportation Representative.

Sincerely,

Aubrey Davis
Regional Administrator

Enclosures



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REGION 10 BULLETIN NO. 85-1

SUBJECT: Half-Fare Requirement for Section 9 Program

SUBJECT AREA(S): Program Management, Legal

DATE: March 1, 1985

It has recently come to our attention that there is some confusion on the part of our Section 9 grantees concerning the half-fare requirement, specifically the medicare provision.

All Section 9 recipients are required to assure that the rates charged elderly and handicapped persons during nonpeak hours for transportation utilizing or involving the facilities and equipment of the project financed with assistance under this section will not exceed one-half of the rates generally applicable to other persons at peak hours. In addition, the half-fare rate must be given to any person presenting a medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act.

The following questions and answers are provided for your information:

- Q: Must the recipient accept a Medicare card as evidence of eligibility for half-fare when boarding or paying fares?
- A: If a recipient has its own procedure for issuing special identification cards or passes, it can require the medicare card holder to follow that procedure. Upon presentation of the Medicare card, the holder would be entitled to the special card or pass, however, without the need for further documentation such as a physician's certification. A recipient may, however, request the Medicare card holder to present a piece of identification, such as a driver's license, to ensure that the person is the actual card holder.
- Q: May the recipient require proof of age or disability?
- A: Section 9 requires that, in addition to elderly and handicapped persons, Medicare card holders are entitled to half-fare. While some Medicare cards are actually issued on the basis of age or infirmity, not all of them are. Thus, age and disability are no longer the sole criteria for half-fare entitlement, and transit agencies are not permitted to ask for a physician's certification or proof of age if the claim to half-fare is made on the sole basis of the medicare card. If half-fare entitlement is claimed by a non-Medicare card holder, on the other hand, the old rules would apply and proof of age or disability may be required.
- Q: With respect to non-Medicare card holders, are there any special definitions of disability which should apply? Are there age limitations?

- A: With respect to the non-Medicare card holders claiming eligibility for half-fare, the term "handicapped" includes any individual who is unable without special facilities or special planning or design to utilize public transportation facilities and services effectively. This may be due to illness, injury, age, congenital malfunction, or other permanent or temporary incapacity of disability, including any person who is wheelchair bound or has semi-ambulatory capabilities.

The Urban Mass Transportation Administration (UMTA) has permitted recipients to exclude from this definition handicaps of less than 90 days duration. UMTA has also allowed applicants to exclude some conditions which appear to meet the functional definition of "handicap" provided in Section 12 of the UMTAct. These include pregnancy, obesity, drug or alcohol addiction, and certain conditions otherwise recognized as handicaps which do not fall within the statutory definition (e.g., loss of a finger, some chronic heart or lung conditions, controlled epilepsy, etc.). Individuals may also be excluded whose handicap involves a contagious disease or poses a danger to the individual or other passengers. Other exceptions should be reviewed on a case-by-case basis. However, UMTA encourages recipients to provide the broadest possible coverage in defining eligible handicaps, including mental illness.

With respect to the term "elderly" all persons 65 years or older must be included as elderly, although recipients are free to include persons less than 65 as well.

- Q: Does the Medicare half-fare requirement apply only to the Section 9 block grant program, or does it apply to other grant programs as well?
- A: The requirement applies to the operations of any recipient which received assistance under the Section 9 program, and not merely to projects contained in the Section 9 program of projects. Recipients which do not receive Section 9 funds but receive Section 5 operating assistance, need only comply with the provisions of Section 5(m) of the Urban Mass Transportation Act of 1964, as amended (which does not extend half-fare to medicare-card holders).



Aubrey Davis
Regional Administrator

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